

03600.002349



#221 Puz for Refund  
05-07-03

PATENT APPLICATION

IN THE U.S. PATENT AND TRADEMARK OFFICE

Application of:

YOICHI TAKARAAGI

Appln. No.: 09/239,013

Filed: January 29, 1999

For: APPARATUS AND METHOD FOR)  
PROCESSING IMAGE AND  
COMPUTER-READABLE  
STORAGE MEDIUM )

) Examiner: S. Ahmed

) Group Art Unit: 2623

) February 11, 2003

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

REQUEST FOR REFUND

Sir:

In connection with the above-identified application, Applicant requests a refund of \$130.00 for a Suspension Of Action Fee which was paid by check and then also charged to our Deposit Account. It is requested that the refund be applied as a credit to our Deposit Account No. 06-1205.

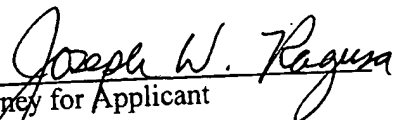
On June 21, 2002, as indicated on the attached Continuation Prosecution Application Transmittal, Applicant requested a three month extension of action and paid the \$130.00 fee for such suspension. Also enclosed is a copy of the postcards acknowledging receipt of the check by the Patent and Trademark Office.

Applicant's attorney received the Monthly Statement of Deposit Account, dated September 30, 2002, copy attached, indicating that Deposit Account No. 06-1205 was charged \$130.00.

Accordingly, Applicant hereby requests and authorize the Commissioner to credit Deposit Account No. 06-1205 in the amount of \$130.00, in order to resolve this matter.

Applicant's undersigned agent may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

  
Attorney for Applicant

Registration No.: 38,586

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112  
Facsimile: (212) 218-2200

NY\_MAIN 322786v1

Commissioner for Patents  
Washington, D.C. 20231

Date 6 21 02  
Mo. Day Yr.

Atty. Docket 03560.002349

App. No. 09/239,013

Sir:

Kindly acknowledge receipt of the accompanying:

- ☐ Specifications, claims and abstract \_\_\_\_\_ pages, with Transmittal Form
- ☐ Patent Application Bibliographic Data Sheet \_\_\_\_\_ sheets
- ☐ Executed Oath or Declaration and Power of Attorney
- ☐ \_\_\_\_\_ Sheets of \_\_\_\_\_ formal \_\_\_\_\_ informal drawings
- ☒ Check for \$ 780.00 (filing fee)
- ☒ Request for Substantive Examination and Check for \$ 130.
- ☐ Assignment, PTO-1595 and Check for \$ \_\_\_\_\_
- ☒ Transmittal Under 37 CFR 1.53(d) (CPA)
- ☒ Petition under 37 CFR 1.136 and check for \$ 110.00
- ☐ Other (specify) \_\_\_\_\_

by placing your receiving date stamp hereon and mailing or returning to deliverer.

This is a ☐ Continuation ☐ Divisional ☐ Continuation-In-Part

Atty. FK

Due Date 6 21 02  
Mo. Day Yr.

37 CFR 1.8 ☐  
37 CFR 1.10 ☐  
By Hand ☒



FOI-S-A-00

# CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

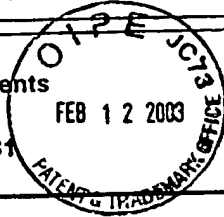
Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:

☐ DUPLICATE

Address to:

Commissioner for Patents  
Box CPA  
Washington, DC 20231



Attorney Docket No.	03560.002349.
First Named Inventor	YOICHI TAKARAGI
Examiner Name	S. A. Ahmed
Group Art Unit	2623
Express Mail Label No.	

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),  
(continued prosecution application (CPA)) of prior application number 09/239,013  
filed on 01/29/1999, entitled APPARATUS AND METHOD FOR PROCESSING IMAGE AND COMPUTER-  
READABLE STORAGE MEDIUM

## NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR § 1.53(d), but must be filed under 37 CFR § 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR § 1.78(a).

1. ☐ Enter the unentered amendment previously filed on \_\_\_\_\_  
under 37 CFR § 1.116 in the prior nonprovisional application.
2. a. ☐ A preliminary amendment is enclosed.
- b. ☒ The applicant(s) presently intend(s) to file additional papers in this case shortly. Should the Examiner take this case up for action before receiving such papers, it is respectfully requested that the Examiner contact the attorneys for the applicant(s).
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR § 1.53(d)(4).
  - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:  
\_\_\_\_\_
  - b. ☐ The inventors to be deleted are set forth on a separate sheet attached hereto.
4. ☐ An Associate Power of Attorney is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
  - a. ☐ PTO-1449
  - b. ☐ Copies of IDS Citations



CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR § 1.16(c) or (j))	24-20 =	4	X \$ 18.00 =	\$72.00
	INDEPENDENT CLAIMS (37 CFR § 1.16(b) or (i))	5-3 =	2	X \$ 84.00 =	\$168.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR § 1.16(d))			\$280.00 =	\$0.00
				BASIC FEE (37 CFR § 1.16(a))	\$ 740.00
				Total of above Calculations =	\$980.00
				Reduction by 50% for filing by small entity (Note 37 CFR §§ 1.9, 1.27, 1.28).	
				TOTAL =	\$980.00

6. Small entity status

- a. ☐ A Small entity statement is enclosed
- b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

7. ☐ Small entity status: Applicant claims small entity status. See 37 CFR § 1.27.

8. ☒ A check in the amount of \$ 980.00 is enclosed.

9. The Commissioner is hereby authorized to credit overpayments or charge deficiencies in the following fees to Deposit Account No. 06-1205:

- a. ☒ Fees required under 37 CFR § 1.16.
- b. ☒ Fees required under 37 CFR § 1.17.
- c. ☐ Fees required under 37 CFR § 1.18.

10. ☒ Applicant requests suspension of action under 37 CFR § 1.103(b) for three months. (Fee of \$130.00 required under 37 CFR § 1.17(i) is enclosed).

11. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A).

b. ☒ Return Receipt Postcard (Should be specifically itemized. See MPEP 503).

12. ☒ Other Applicant hereby petitions to extend the time for taking further action from May 21, 2002 to and including June 21, 2002; A check in the amount of \$110.00 is submitted herewith in payment of the extension fee.

NOTE:

The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below

13. NEW CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label ☐ 05514 or ☐ New correspondence address below  
(Insert Customer No. or Attach bar code label here)

NAME				
ADDRESS				
CITY	STATE	ZIP CODE		
COUNTRY	TELEPHONE	FAX		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME	Lawrence A. Stahl
SIGNATURE	
REGISTRATION NO.	30,110
DATE	June 21, 2002



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

MONTHLY STATEMENT  
OF DEPOSIT ACCOUNT

To replenish your Deposit Account, detach and return top portion with your check. Make check payable to Commissioner of Patents & Trademarks.

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

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Account No.

061205

Date

9-30-02

Page

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FITZPATRICK CELLA HARPER & SCINTO FINA

30 ROCKEFELLER PLAZA

NEW YORK NY 10112-3801



PLEASE SEND REMITTANCES TO:  
Patent and Trademark Office  
P.O. Box 70541  
Chicago, Ill. 60673

DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
MO.	DAY	YR.						
9	3	02	30	890536	NOT IN SYSTEM	567	30.00	32301.75
9	3	02	97	890925		568	200.00	32101.75
9	3	02	98	890925		086	25.00	32076.75
9	4	02	1	09749926	35.G2735	126	180.00	31896.75
9	4	02	1	09337533	169.1331	102	1008.00	30888.75
9	4	02	2	09337533	169.1331	103	216.00	30672.75
9	4	02	7	6343147	00862.001994	145	100.00	30572.75
9	4	02	16	0126820873	NOT IN SYSTEM	570	425.00	30147.75
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9	4	02	19	6011633	00862.000238.2	704	-100.00	30007.75
9	4	02	25	10231301	03500.015994	102	84.00	29923.75
9	4	02	29	10231300	01272.020550	104	90.00	29833.75
9	4	02	126	09605681	35.C14597	195	300.00	29533.75
9	4	02	136	09025770	169.0775	195	300.00	29233.75
9	4	02	205	78160328	00929.00002A.	361	650.00	28583.75
9	5	02	1	09239013	03560.002349	098	130.00	28453.75
9	5	02	53	6084658	05514	122	130.00	28323.75
9	5	02	54	6084658	05514	122	130.00	28193.75
9	5	02	55	6084658	05514	145	100.00	28093.75
9	5	02	67	10233370	00766.000047	104	36.00	28057.75
9	6	02	16	76225174	DEU030USA1	361	1300.00	26757.75
9	6	02	66	10234237	02910.000033	704	-18.00	26775.75
9	6	02	70	10234199	00169.002468	102	84.00	26691.75
9	6	02	90	10165320	03500.016477	104	280.00	26411.75
9	9	02	8	09829914	35.C15290	117	-920.00	25491.75
9	9	02	94	10235803	01809.002048	704	-504.00	25995.75
9	10	02	3	10137348	03500.01403	103	18.00	25977.75
9	10	02	4	10214912	03500.016769	704	-342.00	26319.75
9	10	02	26	10214912	03500.016769	103	756.00	25563.75
9	10	02	63	10184886	03650.002024	103	90.00	25473.75
9	11	02	1	09489910	35.C9024-DI	115	110.00	25363.75
9	11	02	14	10236966	03500.016719	104	144.00	25219.75
9	11	02	31	10217445	00366.000164	103	144.00	25075.75
9	11	02	174	10212150	00684.003393	704	-18.00	25093.75
9	12	02	180	895755	NOT IN SYSTEM	567	30.00	25063.75
9	12	02	181	895758	"	567	30.00	25033.75

OPENING BALANCE

TOTAL CHARGES

TOTAL CREDITS

CLOSING BALANCE

AN AMOUNT SUFFICIENT TO  
COVER ALL SERVICES REQUESTED  
MUST ALWAYS BE ON DEPOSIT.